

JUN 09 2006

TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.

3829.04

In Re Application ~~TRADEMARK~~ WILLIAM J. WECHTER, ET AL.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/762,681	01/21/2004	WEDDINGTON, KEVIN E.	23308	1614	5273

Title: THERAPEUTICALLY ACTIVE COMPOUNDS

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

1. TRANSMITTAL LETTER;
2. RESPONSE TO RESTRICTION REQUIREMENT (2 PAGES); AND
3. POSTCARD.

in the above identified application.

No additional fee is required.

A check in the amount of _____ is attached.

The Director is hereby authorized to charge and credit Deposit Account No. 16-1331 as described below.

- Charge the amount of _____
- Credit any overpayment.
- Charge any additional fee required.

Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



Signature

Dated: JUNE 7, 2006

HANA VERNY (REG. NO. 30,518)
 PETERS, VERNY, JONES, SCHMITT & ASTON LLP
 425 SHERMAN AVENUE, SUITE 230
 PALO ALTO, CA 94306
 TEL: (650) 324-1677
 FAX: (650) 324-1678

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

JUNE 7, 2006

(Date)



Signature of Person Mailing Correspondence

MELINDA TOMPKINS

Typed or Printed Name of Person Mailing Correspondence

cc:



CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria VA 22313-1450, on June 7, 2006.

Signature Melinda Tompkins Date June 7, 2006
Name: Melinda Tompkins

PATENTS
Attorney Docket No. 3829.04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
William J. Wechter, et al.

Serial No.: 10/762,681

Group Art Unit: 1614

Confirmation No.: 5273

Examiner: Kevin E. Weddington

Filed: January 21, 2004

Title: Therapeutically Active Compounds

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Response to Restriction Requirement

This is responsive to the Restriction Requirement in the Office Action dated May 15, 2006, from the U.S. Patent and Trademark Office in the above-identified patent application.

Restriction was required under 35 U.S.C. §121 to one of the following inventions:

Group I – Claims 1-10 and 12, drawn to a method for treating a disease or illness in a mammal, classified in class 514, subclasses 560, 831, 866 and 909.

Group II – Claims 1-9, 11 and 12, drawn to a method for treating a disease or illness in a mammal, classified in class 514, subclasses 560, 831, 866 and 909.

Group III – Claims 13-22 and 24-26, drawn to a method for treating a disease or illness in a mammal, classified in class 514, subclasses 560, 831, 866 and 909.

Group IV – Claims 13-21 and 23-26, drawn to a method for treating a disease or illness in a mammal, classified in class 514, subclasses 560, 831, 866 and 909.

Group V – Claims 13-21 and 27, drawn to a method for treating a disease or illness in a mammal, classified in class 514, subclasses 560, 831, 866 and 909.

Group VI – Claim 28, drawn to a method for treating a disease or illness in a mammal, classified in class 514, subclasses 560, 831, 866 and 909.

Group VII – Claim 29, drawn to a method for treating a disease or illness in a mammal, classified in class 514, subclasses 560, 831, 866 and 909.

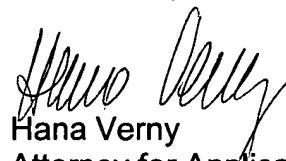
Group VIII – Claim 30, drawn to a method for treating a disease or illness in a mammal, classified in class 514, subclasses 560, 831, 866 and 909.

Group IX – Claims 31-33, drawn to a method for treating a disease or illness in a mammal, classified in class 514, subclasses 560, 831, 866 and 909.

In response thereto and as required in the Restriction Requirement, Applicant elects Group I, namely, claims 1-10 and 12, with traverse.

The Examiner indicated that the various inventions are separately patentable over one over the other. The Examiner further indicated that a reference, which anticipates any one of the above inventions, would neither anticipate nor make obvious the other inventions.

Respectfully submitted,



Hana Verny
Attorney for Applicants
Reg. No. 30,518

Dated: June 7, 2006

Hana Verny
Peters, Verny, Jones, Schmitt & Aston, L.L.P.
425 Sherman Avenue, Suite 230
Palo Alto, CA 94306
(650) 324-1677